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May 18, 2020

**BY ECF**

Hon. Paul A. Engelmayer  
United States District Court  
Southern District of New York  
40 Foley Square, Room 1395  
New York, NY 10007

Re: Nelson v. City of New York, 18 Civ. 4636 (PAE) (SDA)

Dear Judge Engelmayer:

This Office represents Defendants Rocky Etienne, Antonio Fonseca, Anthony Willingham, James Tedesco, Joseph Ware, Sergio Sayers, Phillip Detraglia, and Gregory Stovall, each of whom is a current or former employee of the New York State Department of Corrections and Community Supervision ("DOCCS"), in the above-referenced action. We write on behalf of all parties, and in accordance with the Court's March 24, 2020 Order (ECF #115), to respectfully request an additional ninety (90) day extension of the stay of this case from May 24, 2020 until August 24, 2020.

The reason for the request is that the country, and, in particular, the New York City area, is continuing to grapple with the COVID-19 pandemic. New York remains at the epicenter of this crisis and, on May 14, 2020, Governor Andrew Cuomo issued an Executive Order continuing in effect the stay-in-place order for this area. Counsel have been working remotely since mid-March, 2020, and it remains unclear when we will be returning to our respective offices. Moreover, the majority of the outstanding discovery consists of depositions which will - if taken presently or in the near future - have to be taken remotely, an especially cumbersome process with three sets of counsel, the witness, and a court reporter in separate locations. Plaintiff's counsel additionally notes that he and his family will be out of the New York metropolitan area for most, if not all of the Summer, and may not return for any extended period of time until his daughter's New York City public school reconvenes for live classes.

In sum, given the unprecedented circumstances, the parties respectfully request that the court continue the stay in effect for an additional ninety-days. This is the second request for a stay of this action. The first request was granted. The parties extend their best wishes for the health and safety of the Court.

Respectfully yours,


/s/

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cc: Jeffrey Rothman, Esq. (by ECF)  
Omar Siddiqi, Esq. (by ECF)

Granted. The case is stayed until August 24, 2020. At that point, the parties are to file a joint letter advising the Court of proposed next steps in the case. The parties are instructed to confer regarding potential methods for conducting depositions, including remotely, in the event that the public health crisis continues to make it impossible to hold in-person depositions.

SO ORDERED.

  
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PAUL A. ENGLMAYER  
United States District Judge

May 18, 2020